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**REMARKS**

**A. Claim Rejections - 35 U.S.C. § 103**

**1. Claims 21 and 27-30**

Claims 21 and 27-30 have been rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 6,157,648 to Voit in view of U.S. Patent No. 6,760,324 to Scott.

Independent claims 21 and 30 have been amended to more clearly recite that which the Applicants regard as the invention. In particular, the Examiner indicated in the Advisory Action mailed January 24, 2006 that the claims did not positively recite that the VoIP client is tasked with call connection responsibilities. It is submitted that the claims positively recite this novel and unobvious feature of the invention.

The independent claims recite that a routing server provides a VoIP client with a network address of a selected termination PSTN gateway so that the VoIP client completes call establishment with the selected termination PSTN gateway. Reference may also be made to page 13, lines 24-25 of the application, among other locations.

In this manner, the claimed invention includes a specifically selected distribution of tasks within the VoIP system. In particular, the Applicants have arranged the claimed system and corresponding method so that the routing server selects the appropriate termination PSTN based on workload status information from a gateway monitor and a specified routing plan, if predetermined for the VoIP client, else a default routing plan; but the VoIP client itself is responsible for completing the call.

In the claimed arrangement, over-utilization of servers throughout the system is reduced to establish more efficient VoIP call handling. As a result, the claimed implementation addresses the drawbacks found in the prior art discussed at pages 1 through 4 of the application.

Turning to Voit, call completion is performed by a call control object 210 (figure 2, also identified by the notation "C2"). The call control object 210 is part of an Internet telephony network (ITN) 100 that is part of a network provider domain 200. Referring to figures 1A and 2, the call control object is clearly on a server side of interface I1

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demarking functions of the server versus functions of the client (PC user system block 102/202). This architecture is described at column 9, lines 17-35.

"The ITN Control Plane functions are those which establish and tear-down communication paths across the User Plane." Column 10, lines 4-6. As described with respect to figure 5, the client may be provided with network address of the call destination by the server and that network address is provided back to the server at call set-up initiation. Column 14, lines 7-27. "However, it is the C2 Object or Call Control Object which coordinates the signaling among the involved network elements. Included in this signaling are: ... Establishment and tear down of the PSTN circuit (via C4.17 shown in FIG. 5)." Column 14, lines 27-35. The control interface C4.17, or "PSTN Call Management Interface[,] is an external interface which is responsible for managing signaling to the PSTN which is necessary for the PSTN to establish and tear down circuit switched connections to the called party." Column 15, lines 59-63.

A more detailed description of the call connection procedure is described with respect to figure 7. At column 19, lines 13-37, the relevant steps are recited as follows: "[STEP] 1. The user initiates a call via the PC's V/IP software. This software application invokes the Directory (C1 Object) to obtain the IP address of the destination ITG. Based on the dialed number submitted by the PC application as described in the foregoing preliminary procedure, the C1 Object returns the IP address of the associated ITG (C2 Object). [STEP] 2. The PC's V/IP software application invokes the C2 Object to set up a call by passing to C2 the number to be called, the user's account number, and a password. This is shown as SETUP in FIG. 7. ... [STEP] 4. If authorization was successful [step 3], C2 will establish the PSTN connection, and notify the client software that the call is proceeding (SETUP Call Proceeding)." The variant embodiment of figure 8 describes the same process for completing call connection. Column 20, lines 17-19 (enumerated step 5).

In sum, Voit discloses that "[t]he C2 Call Control Object, which comprises the ITG, communicates with the PC user to establish a PC-to-Telephone call. It is the C2 Object or Call Control Object which coordinates the signaling among the involved

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network elements. Included in such signaling are management of the state of the call with the client PC software (via C2.I1 shown in FIG. 5)." Column 28, line 63 to column 29, line 2.

As will be appreciated, Voit does not teach or fairly suggest that the VoIP client is tasked with call connection responsibilities as set forth in independent claims 21 and 30.

Scott ('324) fails to cure the deficiencies of Voit. As set forth in greater detail in the Reply submitted by facsimile on September 28, 2005, it is a gateway server that completes the call connection in Scott ('324). Therefore, even if one did attempt to combine the teachings of Voit and Scott ('324), the claimed invention would not result.

For at least these reasons, independent claims 21 and 30 patentably define over the art of record. Claims 27-29 depend from claim 21 and are allowable for at least the same reasons. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 103(a) is respectfully requested.

## **2. Dependent Claims**

Claims 22 and 31 have been rejected under 35 U.S.C. § 103(a) over Voit and Scott, in further view of U.S. Patent No. 6,480,898 to Scott ("Scott(2)" or "Scott ('898)"). Claims 23-26 and 32-34 have been rejected under 35 U.S.C. § 103(a) over Voit and Scott, in further view of U.S. Patent No. 6,704,406 to Pearce.

Claims 22-26 depend from claim 21 and claims 31-34 depend from claim 30. Neither Scott ('898) nor Pearce cure the above-noted deficiencies of Voit and Scott ('324). Therefore, even if the proposed combinations were made, the claimed invention would not result. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 103(a) is respectfully requested.

## **B. Conclusion**

In light of the foregoing, it is respectfully submitted that the present application is in condition for allowance and notice to that effect is hereby requested. If it is

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determined that the application is not in condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned representative to expedite prosecution of the present application.

If there are any fees resulting from this communication, please charge same to our Deposit Account No. 18-0988, our Order No. INMEP0104US.

Respectfully submitted,

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